

## LGBCE (10) 4th Meeting

Minutes of meeting held on 23 July 2010, in Room B in  
Layden House, 76-86 Turnmill Street, London, EC1M 5LG

Present:

Max Caller CBE (Chair)  
Dr Peter Knight CBE DL (Deputy Chair)  
Joan Jones CBE  
Professor Colin Mellors  
Jane Earl

Also present:

Alan Cogbill	Chief Executive
Archie Gall	Director of Reviews
David Hewitt	Director of Finance
Sam Hartley	Review Manager
Richard Buck	Review Manager
Joan D'souza	Review Manager
Marcus Bowell	Communications & Public Affairs Manager
Sarah Vallotton	Business and Committee Services Manager
Eleanor Gregory	Minutes

## 1. Minutes from the LGBCE's meeting on 2 June 2010

Agreed:

1. the minutes were agreed subject to minor changes.

## 2. Declarations of Interest

Noted:

1. Peter Knight declared an interest in Staffordshire and took no part in the discussion on that item.
2. Jane Earl declared an interest in Slough and took no part in the discussion on that item.
3. David Hewitt declared an interest in Rushmoor and took no part in the discussion on that item.

## 3. Chair's report

Noted:

1. the Chair and Chief Executive updated the Commission on the meetings with Grant Shapps MP (Minister for Local Government) and Gary Streeter MP (Speaker's Committee representative who responds to PQs to the Committee on the work of the LGBCE ) that took place over the past week.
2. three issues were raised with Grant Shapps MP: Order making; appointment of new Commissioners; and guidance on principal area boundary reviews.
3. the meeting with Gary Streeter MP discussed the passing of Orders through Parliament with particular reference to responding to a prayer against an Order.
4. To aid those responding to debates on our behalf the Commission needs to be rigorous with recording meeting notes and correspondence for use in any defence of process.
5. it was clarified that, in the event of a prayer, a briefing on that review would be provided to Gary Streeter MP, who will speak on behalf of the Commission in the House of Commons.

## **Governance**

### 4. Chief Executive's report

Noted:

1. the Chief Executive introduced Joan D'souza and Marcus Bowell and welcomed them to their first Commission meeting.
2. a letter had been sent to the Speaker's Committee detailing the Commission's recruitment needs for business-critical posts. This had been noted by the Committee without comment.
3. the outstanding posts remain: two business-support staff, one Policy and Research Officer and a Senior Lawyer.
4. currently the Commission will continue to use TSOL for legal advice in place of recruiting a Senior Lawyer.

### 4. Confirmation of Appointment of External Member to the Audit Committee

Noted:

1. the Chief Executive proposed that Elizabeth Butler be formally appointed as the external member of the Audit Committee.

Agreed:

1. the appointment was agreed.

## 5. Audit Committee 1<sup>st</sup> meeting – Oral report and minutes

Noted:

1. the first Audit Committee meeting had been held on 14 June 2010.
2. a small typographical error in the minutes of that meeting was corrected.
3. The Chair of the Audit Committee reported on the second meeting.

## 6. Review of Corporate Governance Framework - LGBCE (10) 25

Noted:

1. the Chief Executive presented an updated version of the Corporate Governance Framework. Changes to the document had been made to move away from the Electoral Commission's style and to crystallise the LGBCE's goals.
2. small changes to the duties of Commissioners had been made and the document should be considered a living document.
3. the Commission discussed the document and suggested minor editorial changes to reflect a consistent style and practice across the Commission.
4. that as the document is applicable to both staff and Commissioners, both should be referenced within it, particularly in relation to the code of conduct

Agreed:

1. The Corporate Governance Framework was approved subject to minor changes and an updated version circulated to all Commissioners and drawn to the attention of all staff.
2. the Chief Executive be authorised to make editorial changes and inform the Commission of any such changes by circulating an updated version.
3. to review the framework in the light of experience in its use in a year's time.

## 7. Freedom of Information Publication Scheme LGBCE (10) 26

Noted:

1. the Chief Executive presented the new FOI publication scheme.
2. the Commission discussed the document.
3. Jane Earl advocated clear and easy documentation for fees and expenses.
4. the Director of Reviews informed the Commission of the ongoing plans to make historical data, reports and orders accessible on the website as a research tool.

Agreed:

1. to publish fees and expenses of Commissioners and senior staff quarterly.
2. to approve the Publication Scheme document as submitted and publish it on the website.

## 8. Quarterly Finance Report (1<sup>st</sup> Quarter) LGBCE (10) 27

Noted:

1. the Director of Finance presented the finance report for the first quarter of the financial year. The report included the likely outcome for the year and preliminary views on the budget for next year.
2. that an update of the Corporate Plan is also being worked on, and that at its September meeting the Commission will need a substantial discussion of the 5 year plan and the budget estimates to be put to the Speaker's Committee that month
3. the Commission discussed the report.

Agreed:

4. to identify the difference between one-off savings and long-term savings, showing savings based on productivity and efficiency to aid both our presentation and to demonstrate where value for money was being achieved.

## 9. Policy Review Timetable LGBCE (10) 28

Noted:

1. the Business and Committee Services Manager presented the timetable.
2. the Commissioners commented on the need to repopulate the document with achievements and show the original target dates.

Agreed:

1. to bring forward the anti-fraud policy to review at the November Audit Committee meeting.

## 10. Future Business LGBCE (10 ) 29

Noted:

1. Jane Earl noted she had not received necessary notification of the change to the Mansfield timetable.
2. the Director of Reviews stated that the current timetable carried significant risk regarding the Stage 2 deliberation for the second tranche of reviews in January/February 2011 and proposed an additional meeting later in February.
3. the Commissioners discussed timetabling and contingencies.
4. the Commissioners expressed their concern at the proposal to modify the timetable. They asked that officers advise more fully of the opportunities of having material ready for the 8 February meeting, and the consequences if reviews were held over until the 8

March meeting. On the basis of this further advice they would decide if, exceptionally, they must hold a second meeting in February.

Agreed:

1. to meet on 8 February, as scheduled in addition to keeping 22 February clear as a contingency should some reviews not be ready in time, nor be able to be held over for the 8 March.

## 11. Operational Report LGBCE (10) 30

Noted:

1. the Director of Reviews presented the report.
2. a request for the Commission to formally agree the delay in the Durham electoral review.
3. a request to move the final recommendations for Mansfield to the August meeting.
4. contact with councils in the next tranche of reviews has been made, detailing the Commission's intention to begin electoral reviews. Rushmoor and Slough had both responded with requests to delay the start of any review in their respective areas. The Commission were asked to consider whether to defer the review of Rushmoor and/or Slough.
5. the Commission discussed Rushmoor and the intervention criteria.
6. the Commission considered Slough's active consultation towards moving to whole-council elections.

Agreed:

1. to the changes in the timetabling of the Durham review.
2. to continue with the review in Rushmoor, as it meets the criteria and had not provided evidence to justify delaying the review.
3. to defer a review in Slough until the results of the consultation to move to whole council elections were known in December 2010.
4. to set up a meeting with officials to inform them of the decision in Slough.
5. for the electoral reviews process working group to consider reviewing the Commission's intervention criteria in preparation for similar requests from other authorities.

## 12. Procedure for Order Making LGBCE (10) 31

Noted:

1. the Director of Reviews presented the paper.
2. this was a work in progress and there was a need to insert timelines and clarify Parliamentary working assumptions.

Agreed:

3. to identify public affairs inputs to include in the manual.
4. to return to the Commission in September for formal authorisation.

## 13. Tonbridge & Malling – related alterations LGBCE (10) 32

Noted:

1. the authority had requested a related alteration that proposed a shift in electors but did not significantly affect electoral equality.
2. Looking at electorate figures the authority meets the criteria for an electoral review and this will not change with the related alteration.

Agreed:

1. that the order to be made.
2. To advise Tonbridge and Malling that a FER was now likely to be included in a future programme.

#### 14. Kirklees – related alterations LGBCE (10) 3

Noted:

1. the authority had requested the making of a related alteration Order in part to align district ward boundaries to parish ward boundaries.
2. this would create something of a precedent but appeared to be in the interests of effective and convenient local government

Agreed:

3. that an Order be made to include all of the authority's proposals..

#### 15. AOBs

Noted:

1. the Chief Executive gave apologies for missing the August meeting
2. Joan Jones requested an update on the meeting with Justin Tomlinson MP (Swindon North) – the meeting had gone well with Mr Tomlinson being interested in the review.

12:20: Meeting closed